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Patent  
Case No.: 58281US004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: NOELLE, RANDOLPH J.

Application No.: 10/748010

Confirmation No.:

Filed: December 30, 2003

Title: IMMUNOSTIMULATORY COMBINATIONS

RESPONSE TO RESTRICTION REQUIREMENTMail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<p align="center"><b>CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]</b></p> <p>I hereby certify that this correspondence is being:</p> <p><input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p><input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.</p> <p><u>June 29, 2006</u> <u>Carrie M. Arcand</u></p> <p>Date Signed by: Carrie M. Arcand</p>
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Dear Sir:

This is in response to the Office Action mailed May 31, 2006. Claims 1-57 are pending. Claims 1-57 were restricted under 35 USC § 121 as follows:

I. Claims 1-10 and 49-57 are said to be drawn to an immunostimulatory composition or vaccine comprising a TLR agonist and the TNF/R agonist, classified in Class 424, subclass 184.1;

II. Claims 11-48 are said to be drawn to a method of inducing TH1 immune response or activating antigen-specific CD8+T cells in a subject or treating a condition in a subject comprising administering a TLR agonist and a TNF/R agonist, classified in Class 514, subclass 2;

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Election

In response, Applicants elect Group I, claims 1-10 and 49-57, without traverse.

Additionally, the Office Action requires election of species for prosecution on the merits. Applicants elect the species including an agonist of TLR7 as the TLR agonist (G.), an agonist of CD40 as the TNF/R agonist (m.), and a tumor antigen (i.) as the antigen. Of the elected claims, claims 1-5, 8-10, 49, 53, and 55-57 read on the elected species.

Conclusion

Applicants have elected Group I, claims 1-10 and 49-57 for examination. Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

6/29/2006  
Date

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